IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 33805 of 1997

Between:

Ch. Surender s/o Appa Rao
R/o. Khammam. .... PETITIONER

AND

1 The Superintending Engineer,
Panchayat Raj Circle, Khammam.
2 The Chief Engineer,
(NABARD) Panchayat Raj, Errum Manzil,
Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an order or direction or writ under Article 226 of the Constitution of India, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in insisting the petitioner for production of Commercial Tax Clearance Certificate and Experience Certificate for issuance of tender schedules in pursuance of the tender notification issued by the first respondent in No. HD/NABARD/8/97-98, dt. 20-11-1997 as, bad, illegal and unreasonable and consequently direct the first respondent to issue tender schedules to the petitioner in pursuance of the above tender notification dated: 20-11-1997 without insisting for production of Commercial Tax Clearance Certificate and Experience Certificate.

Counsel for the Petitioner : Mr.C.DAMODHAR REDDY

Counsel for Respondents : G.P. FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:

The petitioner filed this writ petition seeking to declare the action of the respondents in insisting him for payment of earnest money deposit upto any value of the work and production of commercial tax clearance certificate and experience certificate at the time of allotment of works or issuance of tender schedules in connection with all tender notices issued on or after 20.11.1997, as arbitrary and illegal, and consequently to direct the respondents not to insist on furnishing earnest money deposit.

When the matter came up today for hearing, none appears for the petitioner as well as the respondents.

The main relief and the interim relief sought for by the petitioner is one and the same. This Court while admitting the writ petition by order dated 18.12.1997 granted interim direction in W.P.M.P.No. 39777 of 1997. The learned counsel for petitioner submits that in view of the said interim directions, no orders are required to be passed in this writ petition and it has become infructuous.

Therefore, the writ petition is dismissed as having become infructuous. There shall be no order as to costs.

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N.V.RAMANA, J

Date: 7.4.2005

DA/SVV

To

1 The Superintending Engineer,
Panchayat Raj Circle, Khammam.
2 The Chief Engineer,
(NABARD) Panchayat Raj, Errum Manzil, Hyderabad.

3 Two CCs to the G.P. for Panchayat Raj, High Court Buildings,

Hyderabad (OUT).

4 Two CD copies.